

**COMMITTEE ON FINANCE**  
(Standing Committee of Berkeley County Council)

Chairman: Mr. Steve M. Vaughn, District No. 5

The COMMITTEE ON FINANCE met on Monday, December 9, 2002, Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, at 7:31p.m.

PRESENT: Mr. Steve M. Vaughn, Council Member District No. 5, Chairman; Mr. Milton Farley, Council Member District No. 1; Mrs. Judith K. Spooner, District No. 2; Mr. William E. Crosby, Council Member District No. 3; Mr. Charles E. Davis, Council Member District No. 4; Mrs. Judy C. Mims, Council Member District No. 6; Mr. Caldwell Pinckney, Jr., Council Member District No. 7; Mr. Steve C. Davis, Councilmember District No. 8; Mr. James H. Rozier, Jr., Supervisor, ex officio; Mr. D. Mark Stokes, County Attorney; and Ms. Barbara B. Austin, Clerk of County Council.

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted on the bulletin board at the entrance of the County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina and the Berkeley County Library, and mailed to the newspaper, radio stations, television stations and concerned citizens.

Chairman Vaughn called the meeting to order.

APPROVAL OF MINTUES:

Chairman Vaughn asked the Committee's pleasure on the approval of minutes for the Committee on Finance meeting held on November 18, 2002.

It was moved by Councilmember Crosby and seconded Councilmember Farley to approve the minutes as presented. The motion was passed by unanimous voice vote of the Committee.

A. Chuck Cheers, Sangaree Special Tax District Manager, Re: Special Salary Increase (No additional funds required)

Mr. Cheers addressed the Committee asking for a salary increase in the amount of \$1424.38 for the remainder of the fiscal year. The person that was in this employee's position prior to his employment left the position to take a job with Roads and Bridges to make more money. This increase would pay the current employee the same salary that he would acquire at Roads and Bridges for the same position. No additional funds would be required for the increase.

Councilmember Spooner stated that in light of the fact that other increases have been denied in the recent past...

Councilmember Charlie Davis stated the Board of Commissioners vote on the salaries in Special Tax Districts and they voted on this increase last week.

Mr. Rozier explained that the Board of Commissioners makes recommendations, but Council decides the salaries. They are still County employees even though this is a Special Tax District.

Mr. Cheers explained the employee started with the County in February 2002 as a temporary. He replaced the full time employee that went to Roads and Bridges in June 2002; therefore, he will miss the merit increase this year, as well. "The new grade system would fix this, but I am not sure he is going to hang around until that goes into effect. He has been watching the jobs on the board. I am not asking any more than what he would make if he went to Roads and Bridges this week and took a similar job."

It was moved by Councilmember Charlie Davis and seconded by Councilmember Crosby to approve the special salary increase for Sangaree Special Tax District.

Councilmember Pinckney stated he realizes the rational of the increase, but the fact still remains that a salary increase would be granted.

Mr. Rozier stated you are right.

Chairman Vaughn stated these are County employees, but they are paid out of different funds.

Councilmember Pinckney explained he did not want to be hypocritical in what he was doing.

Mr. Frank Carson, County Engineer, explained to the Committee this an example that the system is inherently wrong, because this employee has been here since February, but will miss the merit increase when he is doing a good job.

Councilmember Spooner asked if the \$8.30 was higher than the former employee was making?

Mr. Carson said it was. He left to make \$8.30 with Roads and Bridges with the same job title.

Chairman Vaughn called for a Role Call:

Councilmember Farley	"Nay"
Councilmember Spooner	"Abstain"
Councilmember Crosby	"Aye"
Councilmember C. Davis	"Aye"
Councilmember Vaughn	"Aye"

Councilmember Mims	“Aye”
Councilmember Pinckney	“Nay”
Councilmember S. Davis	“Nay”

The motion passed with a vote of 4 “Ayes” and 3 “Nays”.

B. Review prior to Third Reading of the following:

1. Bill No.02-61, an Ordinance to amend the agreement for development of a Joint County Industrial Park executed on April 24, 1995, by and among Berkeley County, South Carolina, and Williamsburg County, South Carolina, providing for the development of a jointly owned and operated industrial/business park so as to include additional property in both Berkeley County and Williamsburg County as part of the Joint County Industrial Park, and other matters relating thereto.

It was moved by Councilmember Crosby and seconded by Councilmember Spooner to send Bill No. 02-61 forward for Third Reading. The motion passed by unanimous voice vote of the Committee.

2. Bill No. 02-62, An Ordinance authorizing Berkeley County, South Carolina (the “County”) to enter into a second addendum to that certain personal property lease purchase agreement with Norton McNaughton of Squire, Inc. and such other documents and agreements in connection therewith as approved by the Chairman/Supervisor of County Council which agreements include (a) the consent of the county to the merger of McNaughton Apparel Holdings Inc. into Norton McNaughton of Squire, Inc. and (b) at the election of Norton McNaughton of Squire, Inc., either (i) the conversion of the fee-in-lieu of taxes arrangement into a non-leasehold arrangement under Chapter 44 of Title 12 of the South Carolina Code of Laws (together with the reconveyance to Norton McNaughton of Squire, Inc. of the personal property leased by Norton McNaughton of Squire, Inc. from the County pursuant to the personal property lease purchase agreement) or (ii) the acceptance by the County of title to the personal property with respect to the second phase of the project and the lease of such personal property back to Norton McNaughton of Squire, Inc. and authorizing the execution and delivery of said addendums, documents and agreements.

It was moved by Councilmember Pinckney and seconded by Councilmember Charlie Davis to send Bill No. 02-62 forward for Third Reading. The motion passed by unanimous voice vote of the Committee.

3. Bill No. 02-63, An Ordinance authorizing Berkeley County, South Carolina (the “County”) to enter into a second addendum to that certain real property lease purchase agreement with E. and H. Ross/Charleston Industrial, LLC, a subordination, non-disturbance and attornment agreement with State Farm Life Insurance Company and such other documents and agreements in connection therewith as approved by the Chairman/Supervisor of County Council which agreements include (a) the consent of the County to the merger of McNaughton Apparel Holdings Inc. into Norton McNaughton of Squire, Inc., (b) the consent of the County to the partial

assignment of the real property lease purchase agreement by E. and H. Ross/Charleston Industrial, LLC to North Point Park, LLC and (c) at the election of Norton McNaughton of Squire, Inc., E. and H. Ross/Charleston Industrial, LLC, North Point Park, LLC, and State Farm Life Insurance Company, either (i) the conversion of the fee-in-lieu of taxes arrangement into a non-leasehold arrangement under Chapter 44 of Title 12 of the South Carolina Code of Laws (together with the reconveyance to E. and H. Ross/Charleston Industrial, LLC of the real property leased by E. and H. Ross/Charleston Industrial, LLC from the County under the real property lease purchase agreement) or (ii) the acceptance by the County of title to the real property with respect to the second phase of the project and the lease of such real property back to North Point Park, LLC pursuant to the terms of the real property lease purchase agreement and authorizing the execution and delivery of said addendums, documents and agreements.

It was moved by Councilmember Crosby and seconded by Councilmember Pinckney to send Bill No. 02-63 forward for Third Reading. The motion passed by unanimous voice vote of the Committee.

4. Bill No. 02-64, An Ordinance authorizing the execution and delivery of a fee in lieu of tax agreement and certain instruments relating thereto by and between Berkeley County and Knology of Charleston, Inc., whereby, Berkeley County will enter into a fee-in-lieu of taxes arrangement with Knology of Charleston, Inc.; providing for payment by Knology of Charleston, Inc. of certain fees in lieu of Ad Valorem taxes; and other matters relating thereto.

It was moved by Councilmember Crosby and seconded by Councilmember Spooner to send Bill No. 02-64 forward for Third Reading. The motion passed by unanimous voice vote of the Committee.

5. Bill No. 02-55, an Ordinance authorizing the execution and delivery and sale of not exceeding \$7,000,000 aggregate principal amount of Berkeley County, South Carolina, industrial development revenue bonds; the lending of the proceeds of the bonds to provide funds to Charleston Midstream Transfer Facility, LLC (the "Company") to defray the cost of acquiring certain machinery, equipment, and other property; the entering into of certain covenants and agreements and the execution and delivery of certain instruments relating to the issuance of the bonds, including a loan agreement between the county and the company; a trust indenture, securing such issue of bonds and prescribing matters related thereto; a bond purchase agreement; and an offering memorandum with respect to the bonds; and other matters relating thereto.

It was moved by Councilmember Spooner and seconded by Councilmember Charlie Davis to send Bill No. 02-55 forward for Third Reading. The motion passed by unanimous voice vote of the Committee.

C. Consideration prior to First Reading of an ordinance to develop a jointly owned and operated industrial/business park in conjunction with Orangeburg County, such industrial/business park to be geographically located in Berkeley and Orangeburg Counties and established pursuant to South Carolina Code of Laws of 1976 §4-1-170, et sequitur, as amended; to provide for a written agreement with Orangeburg County providing for the expenses of the park, the percentage of

revenue application, and the distribution of fees in lieu of ad valorem tax to the counties and relevant taxing entities; and, to provide that jobs tax credits allowed by law be provided for industries locating in said park, and to permit a user fee in lieu of ad valorem taxation.

It was moved by Councilmember Charlie Davis and seconded by Councilmember Crosby to send the Ordinance as presented forward for First Reading.

Mr. Rozier explained that this is a company that will have part of its facility in Berkeley County and part in Orangeburg County. In order for us to do a Fee In Lieu there must be a Joint Industrial park with Orangeburg County. To attract this industry to South Carolina we had to have a Fee In Lieu agreement with them; thus, a Joint Industrial Park was needed.

The motion passed by unanimous voice vote of the Committee.

WITHOUT OBJECTION:

There was none.

Mr. Rozier read the following:

Consideration prior to First Reading of an Ordinance authorizing and providing for the issuance of Water and Sewer System Revenue Bonds of Berkeley County; prescribing the form of the bonds; limiting the payment of the bonds solely to the net revenues derived from the operation of the system and pledging the revenues to such payments; creating certain funds and providing for payments into such funds; and making other covenants and agreements in connection with the foregoing.

It was moved by Councilmember Spooner and seconded by Councilmember Crosby to send the Ordinance forward for First Reading. The motion passed by unanimous voice vote of the Committee.

Consideration prior to First Reading of a First Supplemental Ordinance providing for the issuance and sale of Berkeley County, South Carolina, Water and Sewer System Revenue Bonds, Series 2003, in the principal amount of not exceeding \$99,000,000; prescribing the form and details of such bonds; and other matters relating thereto.

It was moved by Councilmember Crosby and seconded by Councilmember Spooner to send the Ordinance forward for First Reading. The motion passed by unanimous voice vote of the Committee.

#### REPORTS FROM STANDING COMMITTEES:

COMMITTEE ON JUSTICE AND PUBLIC SAFETY, Councilmember Milton Farley, Chairman.

Councilmember Farley reported the Committee met earlier tonight.

It was moved by Councilmember Farley upon recommendation of the Committee on Justice and Public Safety to approve the transfer of \$2,250 from contingency to Department 44108 – Line Item 7101, matching funds for a Justice grant for the Homeland Security. (No Second Required) The motion passed by unanimous voice vote of the Committee.

It was moved by Councilmember Crosby and seconded by Councilmember Spooner to adjourn the Committee on Finance. The motion passed by unanimous voice vote of the Committee.

The meeting was adjourned at 7:50 p.m.

January 13, 2003  
Date Approved

**COMMITTEE ON JUSTICE AND PUBLIC SAFETY**  
(Standing Committee of Berkeley County Council)

Chairman: Mr. Milton Farley, District No. 1

Members: Mrs. Judith K. Spooner, District No. 2  
Mr. William E. Crosby, District No. 3  
Mr. Charles E. Davis, District No. 4  
Mr. Steve M. Vaughn, District No. 5  
Mrs. Judy C. Mims, District No. 6  
Mr. Caldwell Pinckney, Jr. District No. 7  
Mr. Steve C. Davis, District No. 8  
Mr. James H. Rozier, Jr., Supervisor, ex officio

A meeting of the COMMITTEE ON JUSTICE AND PUBLIC SAFETY, Standing Committee of Berkeley County Council, will be held on Monday December 9, 2002, in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina, at 6:00 p.m.

**AGENDA**

**APPROVAL OF MINUTES:**

November 18, 2002

A. Wes Blanchard, Director of Disaster Preparedness, Re: Matching funds for grant.

December 4, 2002  
S/Barbara B. Austin  
Clerk of County Council